

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)	CASE NO. 8:05CR259
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
CORY JAMES SHIFFLETT,)	
)	
Defendant.)	

This matter is before the Court on the motion to withdraw (Filing No. 57) filed by defense counsel, Shannon P. O'Connor. Mr. O'Connor requests leave on behalf of the Office of the Federal Public Defender to withdraw because attorney James Martin Davis has entered an appearance (Filing No. 55).

NECrimR 44.1(e) requires the filing of proof of service of the motion on the attorney's client before counsel may be relieved of his or her duties. The Court previously held the motion to withdraw in abeyance pending the required filing. However, as Filing No. 63 indicates that the Defendant is aware of and apparently consents to the change in counsel, the Court will grant the motion to withdraw.

IT IS ORDERED that the motion to withdraw (Filing No. 57) filed by defense counsel, Shannon P. O'Connor, is granted.

DATED this 29th day of November, 2005.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge